

**No one is
free while
others are**

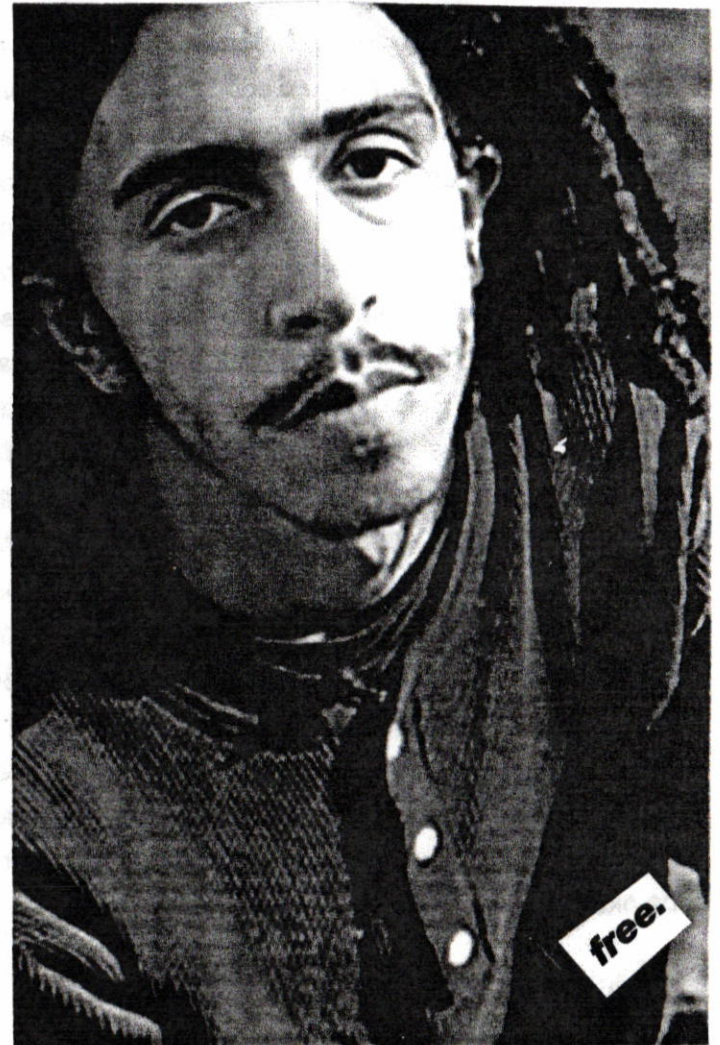
oppressed.



for additional
copies contact
PO BOX 210814
Nashville, TN
37221-0814 or scam your own!

**!MYMREHS EAVS
SAVE SHERMAN!**

20 yr. old Sherman Austin is sentenced to 1 year in federal prison in one of the first attempts at exercising the US Patriot Act. His probation stipulates he cannot associate with any person/group that seeks to change the government in any way.



from sherman austin:

On Jan 24, 2002, my home was surrounded and raided by approximately 25 heavily armed FBI and Secret Service agents in one of the government's first attempts to exercise the new US Patriot Act. I was interrogated for several hours while they ransacked my room and they seized a network of computers which I used to run my web site raisethefist.com. They also seized protest signs, and political literature. Their excuse was a protest guide (which I didn't author) that was posted to my site which a small portion contained information on explosives. The FBI had been monitoring the site long before this was ever posted, and long before Sept 11. The "explosives information" on my site (again which I didn't author) doesn't compare to what you can find on any other web sites such as howthingswork.com, Loompanics.com, Bombshock.com, Totse.com, Amazon.com, or the many neo nazi web sites which cover everything from assassinations, explosives, fraud and firearms. It's obvious a web surfer interested in making a bomb or taking part in other extra-illegal activities would not have to rely on Raisethefist.com. So how could the "bomb making information" on raisethefist.com be a concern to authorities? It wasn't a concern, it was simply used as an excuse to exercise the new Patriot Act and take down the site. And that's what they did when federal agents spent 5-6 hours interrogating me while they disassembled each computer one by one, mirrored each hard drive, then loaded everything into a big white truck. During this whole process I was told I wasn't going to be arrested, and that I could even leave if I wanted to. Once the agents finished packing everything up, Special Agent John I. Pi, who was conducting the investigation and raid said that I had crossed a line, and as long as I got back on the other side of that line I'd be okay.

1 *Leop*

at any time, without notice, (3) he cannot alter any of the software or hardware on any computer he uses, (4) he must surrender his phone, DSL, electric, and satellite bills, (5) he cannot associate with any person or group that seeks to change the government in any way (be that environmental, social justice, political, economic, etc.), and (6) he must pay over \$2,000 in fines and restitution. Austin must surrender himself to the Federal Bureau of Prisons by September 3, 2003.

contact information:

- For media contact and legal information: jmi46@netzero.net
- To coordinate a benefit show for Sherman, or for any other questions please contact liveiranlive@riseup.net or our new AIM name which is "ShermanAustin411".
- If you would like to contribute to Sherman Austin's defense fund, please send contributions to his mother:

Ms. Martin
12115 Magnolia Blvd. #155
North Hollywood, CA 91607

***please sign the petition (center) expressing
your concern for Sherman Austin's safety in prison and
send it to:***

**Warden Captain C. Burris
Central Detention Center
Western Division, San Bernadino
630 E. Rialto, CA 92408
Phone: 909-386-0969**

6

person who authored the material admitted to them that he had done that."

Chowkwanyun says the actual author was never arrested. "That person actually, from what I understand, is now in Oregon lounging around. He was never charged with anything."

"But even though the F.B.I. knew this, in the final statement that the prosecution made to the court on sentencing--both the defense and the prosecution issued sentencing positions--the prosecutor wrote that Sherman had authored the guide," he said.

Earlier this year Austin pleaded guilty and was sentenced last month to a year in jail and then three years probation. If he had not pleaded guilty he could have faced 20 years in prison under anti-terrorism provisions of the USA Patriot Act.

from raisethefist.com:

Sherman Austin, webmaster of RaisetheFist.com, was sentenced August 4, 2003, to one year in federal prison, with three years of probation. Judge Wilson shocked the courtroom when he went against the recommendation of not only the prosecution, but the FBI and the Justice Department, who had asked that Austin be sentenced to 4 months in prison, and 4 months in a half-way house, with 3 years of probation.

Austin's probation stipulates, among other things, that (1) he cannot possess or access a computer of any kind without prior approval of his probation officer, (2) if his probation officer gives permission, the equipment is subject to monitoring and is subject to search and seizure

A week later despite what happened I still continued with my plans to attend the demonstration against the World Economic Forum in NY. As I was waiting for the march to begin, a swarm of NYPD officers rushed straight at me and scooped up about 26 people, one of which was me. We sat on a bus for 7 hours before being taken to Brooklyn Navy Yard Jail. I was there for about 30 hours before I was taken out of my cell and put into a backroom in handcuffs and interrogated once again by the FBI and Secret Service for several hours. They asked me questions such as if I was a terrorist or involved in any terrorist organizations. During the interrogation I noticed more and more agents walking through the room. I was told I wouldn't leave custody unless they searched my car. I said I had nothing to hide and simply wanted to go home. Stressed and aggravated, I signed over my keys. A few minutes later I was driven to the court and released. As I was waiting for someone to pick me up, about 5 FBI agents entered the court and said I was arrested for "distribution of information related to explosives over the internet". One of the agents grabbed my neck and told me to shut the fuck up while I tried to tell one of the legal observers I was being arrested. I was hurried out of the court house into a black SUV where I was driven to a federal building. I was then taken to lower Manhattan MCC maximum security 24 hour lockdown federal jail facility. At my bail hearing the FBI called me a "man on a mission" and said I drove 3,000 miles to carry out my alleged "plot". The judge said I was a "threat to the community" and denied me bail, and I was to be extradited back to California to face my charges. After 11 days I was shackled and taken to an airforce base where federal inmates are boarded onto planes surrounded by guards with M16's and shot guns, like prisoners of war, and flown to a federal jail "hub" in Oklahoma. Once I got there, I learned the next day that the prosecutors decided not to file an indictment. I was released after spending 13 days in custody. When I got back to Los Angeles I put raisethefist.com back up almost immediately. I continued my political organizing within the community, as well as my work with Raise the Fist

which developed into a Direct Action Network with chapters setup around the world. 6 months later prosecutors contacted my lawyer and said they found nothing to prosecute me for on my computers, but didn't want to "let me off the hook". They offered me a pre-indictment binding plea agreement which was initially 1 month in jail, and 5 months in a "community corrections facility". I rejected the plea at first, wanting to go to trial until we discovered the case was eligible for a terrorism enhancement, which could have added 20 years to my sentence.

I therefore decided to enter a plea. I played months of legal limbo until I finally expected to get sentenced to 4 months in jail and 4 months in a community corrections facility based on the final pre-sentencing report written by the USPO. The judge rejected the 4 months saying what kind of an example would it set for "future revolutionaries" wanting to act in the same manner. He stated he wanted to give me at least 8-10 months but first wanted the opinion of the Justice Department and the Director of the FBI in Washington, DC (Robert Muller). My sentencing was rescheduled several times until August 4th. I was convicted for felony; distribution of information related to explosives with intent, and sentenced to 1 year in federal prison with 3 years supervised release.

Distribution of information related to explosives is not illegal.. What's illegal is the INTENT part. They have to prove you have intent to use the information to cause further crime of violence .. and how do they prove intent? I think Bush made it clear when he said "you're either with me or against me".

Remember, fascism and a police state doesn't come all at once, it comes piece by piece. How far will we allow it go until we are all locked up in concentration camps.

If we don't take matters into our own hands and do something about

this now, then we are already prisoners of war.

Raisethefist.com is not shutting down, and the RTF Direct Action Network will continue to grow and remain active. A 1 year sentence is not the end of this. It's just the beginning.

from democracynow.org:

"[Sherman] did not author the material in question," said Merlin Chowkwanyun, an investigative journalist who has closely monitored Austin's case. "He had a website and he offered free space to basically anyone who asked for it. If an activist asked for free space, Sherman would grant them an account, which would allow them to upload whatever they wanted to that. And so that's what the person who authored this material did, got some free space on Sherman's server, uploaded the material in question. Sherman provided a link to that on his front page."

Austin says, "All I had on my website was a link to another website that wasn't associated with my website. On that other website, there was information about protests and things like security culture, and a small portion of the website that was stuff about explosives."

But despite this, Chowkwanyun says the government and some media outlets have portrayed Sherman Austin as the author of the material. "At a detention hearing in New York after [Sherman] was arrested, the prosecutor insinuates that he authored the material," Chowkwanyun said. "Prior to saying that, he quotes from the bomb-making instructions. But the F.B.I. knew that someone else had authored this material. I have in my hand right now a little transcription that they did where they actually interviewed the person who authored the material and the

Dear Warden Captain C. Burris,

I am writing out of concern for the safety and welfare of Sherman Martin Austin (Booking #0309300141), a federal prisoner currently located at the Central Detention Center in San Bernardino County, California. He is due to be transferred to a Federal penitentiary within six to eight weeks.

However, he is currently the target of death threats from several white-supremacist groups and is being kept in solitary for the ostensible purpose of protecting him from these hate groups, some members of which have placed a price on Sherman's head.

Sherman is a non-violent offender. He is only twenty years of age and has been evaluated by a court-appointed psychologist as being completely non-violent and idealistic.

A county detention facility is not the place for a non-violent offender who is currently in danger of being killed for his color and beliefs. I am afraid that should Sherman remain in CDC he will be injured or killed. We feel that by being placed in a Federal penitentiary there is less likelihood of Sherman being harmed or even killed.

We demand the immediate transfer of Sherman Martin Austin to a Federal detention facility, for his own safety and well-being, and in the meantime the continuance of protective custody to ensure his safety and survival.

I will appreciate an immediate response concerning this letter.

Thank you,